

CURRICULUM VITAE

**HONORABLE MARIANNE B. BOWLER
UNITED STATES MAGISTRATE JUDGE**

PROFESSIONAL EXPERIENCE:

1990-present

United States Magistrate Judge

United States District Court/Boston
District of Massachusetts

Responsible for handling civil cases from filing through resolution by jury trial and criminal cases from the filing of charges in felony matters until trial and misdemeanor matters through trial and sentencing. Broad subject matter jurisdiction.

Extensive experience with high profile criminal cases.

The court has one of the busiest intellectual property dockets in the country because of the numerous academic institutions and the related commercial spinoffs in the Boston area.

Additional judicial duties include serving as a mediator as part of the Alternate Dispute Resolution (ADR) Program of the United States District Court of the District of Massachusetts (since 2002). Conducted over 400 mediations in the Districts of Massachusetts, Puerto Rico and Rhode Island involving a wide range of subject areas including complex business litigation, all types of intellectual property disputes, discrimination and civil rights, admiralty, personal injury, environmental matters and products liability cases resulting in hundreds of millions of dollars in settlements with an average annual settlement rate in excess of 80 percent. Magistrate judge representative to the court's Committee on ADR, which administers the court's ADR program, which handles about 200 cases annually. Between 2004 and 2010 responsible for successfully mediating all of the DES (diethylstilbestrol) cases filed in the District of Massachusetts.

Frequent guest speaker and lecturer on the subject of mediation.

Special interests: admiralty, biotechnology, intellectual property, international law, medicolegal issues and product liability.

2002-2005 **Chief Magistrate Judge**
Administrative responsibilities and liaison to the Chief Judge for the seven Magistrate Judges serving in the District of Massachusetts.

2010 - 2012 Observer Member to the Judicial Council of the First Circuit

2008 - Present Member of the International Judicial Relations Committee of the Judicial Conference of the United States (by appointment of the Chief Justice of the Supreme Court of the United States)

* * * * *

1978-1990 **Assistant U.S. Attorney**
District of Massachusetts
United States Department of Justice

1989-1990 **Senior Litigation Counsel** First AUSA in the District of Massachusetts to be awarded this title by the Department of Justice in recognition for outstanding litigation skills. Duties included training Assistant U.S. Attorneys, serving as a litigation consultant in the U.S. Attorney's Office and handling complex litigation and monitoring the settling of cases.

Responsible for the defense of the government in Martin Gaffney, et al. v. U.S.A., which alleged that medical malpractice by U.S. Navy physicians resulted in a stillborn birth and the mother's subsequent need for blood transfusions which resulted in the mother, her husband and an afterborn child developing AIDS, which caused the death of all the family members.

1988-1989 **Executive Assistant United States Attorney**
First person to serve in this capacity in the District of Massachusetts. Responsibilities included serving as Acting U.S. Attorney in the absence of the U.S. Attorney, making major management and prosecutorial decisions, overall supervision, press relations and oversight of the administrative and civil divisions.

1986-1987 **Attorney General's Advocacy Institute, Wash., D.C.**
Selected by the Attorney General to direct the civil and appellate educational programs for all Assistant U.S. Attorneys nationwide. Responsibilities included managing an intensive two week civil litigation course for recently named Assistant U.S. Attorneys and a one week appellate program for senior attorneys. Lectures to U.S. Attorneys' offices around the country on medical malpractice, settlement techniques, mediation and alternative dispute resolution. Specialized lectures on the

selection and preparation of expert witnesses involving scientific, medical or technical subjects.

1980-1986

Civil Division, Trial Attorney

Responsible for a wide variety of civil litigation at the trial and appellate levels, with special emphasis on complex personal injury cases, swine flu litigation, asbestos litigation and medical malpractice. Extensive use of mediation and alternative dispute resolution in conjunction with traditional trial practice.

Handled 35 swine flu vaccine cases totaling in excess of \$42 million in claims. There were no judgments against the government. Liability was admitted in one wrongful death case and a trial on the issue of damages resulted in an award of \$218,000. Four other cases were settled for a total payout of \$160,000. The government prevailed at trial in all of the other cases and in all the appeals.

1979

New England Strike Force Against Organized Crime

Special assignment to the prosecution trial team in a 15 defendant RICO case. The case was the second prosecution in Massachusetts under the RICO statute. The trial lasted three months.

1978

Civil Division, Trial Attorney

General civil litigation, including both affirmative litigation and the defense of the government.

1978

Assistant District Attorney

Middlesex County, Cambridge, MA

Prosecution of criminal cases in the District and Superior Courts. Co-Prosecutor in the first degree murder trial Commonwealth v. Anthony Jackson, which resulted in conviction and life sentence without parole.

1977-1978

Deputy Chief Law Clerk to the Justices of the Massachusetts Superior Court

Responsible for the management of the law clerk program, hiring of future law clerks and special assignments for the Chief Justice. Assigned to complex cases, primarily first degree murder cases.

1976-1977

Law Clerk to the Justices of the Superior Court

1969-1976

Managing Editor, "This Week in Public Health"

The official publication of the Mass. Department of Public Health.

1969-1976

Freelance Writer - Medical and Scientific Subjects

Articles appeared in numerous newspapers and magazines

1967-1969

Research Assistant in Biochemistry - Harvard Medical School

Subject area of interest: Calcium Retention in Patients with Metabolic Bone Disease

EDUCATION:

J.D. *cum laude* (1976) Suffolk Law School, Boston

Class Rank: 5/247

Honors: Dean's List - All semesters

John B. Hynes Scholarship (two years)

Hiram Archer Scholarship (one year)

A.B. (1967) Regis College, Weston, Mass. Pre-med. Senior thesis entitled "A Report on the Current Status of the Ovarian Hormone Estrogen"

Doctor of Laws, *honoris causa*

Regis College, 2003

Doctor of Laws (Honorary)

Suffolk University, 1994

SELECTED PROFESSIONAL ORGANIZATIONS:

American Bar Association

American Inns of Court

Boston Bar Association

Boston Intellectual Property Inn of Court- Vice President 2011-2012

President 2012-2013

Boston College Inn of Court for Intellectual Property, Founding Co-president in 1997

Maritime Law Association of the United States- Elected to Honorary Membership in 2008

Suffolk Law School Alumni Association - President, 1980/81 (First woman president)

PUBLICATIONS:

Pfeffer MA, Bowler MB. Access to safety data–stockholders versus prescribers. *New England Journal of Medicine* 2011; 365: 1-3

Mass. Bar Assoc. Civil Litigation-March 1993 ("CL53") Resolving discovery disputes in federal court

Acknowledged in the preface of Seamen's Damages for Death and Injury, 1988 supplement. Harrison Co. (1988).

Acknowledged: Flanagan, B. and Nichols Jr., G. Bone matrix turnover and balance in vitro:II. The effect of ageing. *Journal of Clinical Investigation* 1969; 48(4): 607-612

Acknowledged: Flanagan, B. and Nichols Jr., G. Bone matrix turnover and balance in vitro:I. The effect of parathyroid hormone and thyrocalcitonin. *Journal of Clinical Investigation* 1969; 48(4): 595-606

Printout of published opinions available upon request.

SELECTED AWARDS/HONORS:

2012- Distinguished Public Service Award - Boston Patent Law Assoc.

2011- U.S Ukrainian Foundation - Appreciation Award

2004 - Boston Bar Assoc. - Citation for Judicial Excellence at Annual Law Day Dinner

1991 - Suffolk University Law School - Outstanding Alumni Award for "Exceptional Professional Achievements" (first woman to receive award).

1989 - MCLE, Certificate of Appreciation for Participation in Educational Programs.

1988 - Massachusetts Bar Association, Certificate of Appreciation for Professional Education Program.

1987 - United States Department of Justice, Certificate of Appreciation for Outstanding Services (conferred in Washington, D.C.).

1986 - 10th Special Forces, Certificate of Appreciation.

Listed in

Who's Who in America
Who's Who in American Women
Who's Who in American Law

GUEST LECTURER:

Boston Bar Association
Boston Patent Law Association
Discovering Justice, Boston
Federal Bar Association
Federal Court Forum
Financial Executive Institute

Government of Kuwait, Kuwait City (1997-first US woman judge to speak in Kuwait)
Government of Egypt (2012)-presentation on enforcement of foreign court orders in cross border financial investigations, presentations before the Court of Cassation and Cairo University Law School
Judicial Institute of the United Arab Emirates at Sharjah (2011)-presentation on copyright and trademark law
Massachusetts Bar Association
Massachusetts Continuing Legal Education
Massachusetts Federal Bar Association
Open World
Practicing Law Institute, NYC (Understanding Intellectual Property License)
United States Department of Justice, Washington, D.C. - Attorney General's Advocacy Institute
Women's Bar Association
U.S. Embassy, Belgrade, Serbia 2012

In addition, numerous law schools, foreign judges, prosecutors, law enforcement agents and civic organizations

SELECTED CIVIC ACTIVITIES:

| | |
|---------------------|---|
| 2005-2008 | Board of Overseers USS Constitution Museum, Boston |
| 2003-2007 | Board of Directors, Discovering Justice, James D. St. Clair Court Education Project |
| 1999-Present | Visiting Committee on Neuroscience, Massachusetts General Hospital |
| 1996-Present | Board of Directors, South Cove Manor (non-profit nursing facility serving Boston's Chinatown) |
| 1995-2005 | Board of Directors, The Boston Foundation |
| 1994-2012 | Trustee, Suffolk University, Boston |
| 1994-2004 | Member of Visiting Committee, Museum School (Boston Museum of Fine Arts) |
| 1990-1996 | Chairman, Board of Trustees, New England Baptist Hospital, Boston |

| | |
|---------------------|---|
| 1996-Present | Honorary Life Trustee, New England Baptist Hospital, Boston Trustee Member - Credentials Committee |
| 1983-Present | Member of the Corporation. New England Baptist Hospital, Boston |
| 1982-1985 | Board of Directors, Catholic Charitable Bureau of Boston |